

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN

IN RE SUBPOENA OF D/SGT.
JACQUELYN STASIAK

Sean MacMaster v. David Busacca, et al

Civil Action No. 21-cv-11052

United States District Court for The Eastern
District Of Michigan

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EXHIBIT A

May 9, 2023, email with Melissa Freeman

From: [Melissa Freeman](#)
To: [Jamison, Eric \(AG\)](#)
Cc: [Root, Alexander \(AG\)](#)
Subject: Re: MacMaster v Busacca - Subpoena to testify at deposition
Date: Wednesday, May 10, 2023 9:57:37 AM

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I would not concur in a motion to quash.

-Melissa

On Tue, May 9, 2023 at 4:07 PM Jamison, Eric (AG) <JamisonE@michigan.gov> wrote:

Hello –

Thank you for you quick reply. Could you explain in more detail the scope of your anticipated questioning?

It seems axiomatic that transcripts and documents are confidential, and anything that the investigator learned from the transcripts and documents is also confidential. It would completely defeat the purpose of the statute if it is read to mean that the documents and transcripts are confidential but someone could be subpoenaed to discuss what was in the documents.

Unless you withdraw the subpoena, we will be filing a motion to quash. Please consider this our attempt to seek concurrence before filing the motion.

Eric Jamison

Michigan Department of Attorney General

State Operations Division

(517) 335-7573 – Main Line

(517) 281-7564 – Mobile

jamisone@michigan.gov

From: Melissa Freeman <melissa@blanchard.law>
Sent: Tuesday, May 9, 2023 3:53 PM
To: Jamison, Eric (AG) <JamisonE@michigan.gov>
Subject: Re: MacMaster v Busacca - Subpoena to testify at deposition

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Good afternoon,

I did speak to D/Sgt Stasiak, although what I told her was that the deposition would concern her contact with the MacMaster case, which as I understood, has to do with her criminal investigation. The way I read *Truel* as well as the statute, is that transcripts and documents are confidential. I don't intend to withdraw the subpoena.

-Melissa

On Tue, May 9, 2023 at 8:59 AM Jamison, Eric (AG) <JamisonE@michigan.gov> wrote:

Melissa –

Good morning. I am in receipt of the Subpoena to Testify at Deposition that was served upon D/Sgt. Stasiak.

My understanding is that D/Sgt. Stasiak spoke with you and that you indicated that the deposition will largely be focused on her findings and/or statements that she obtained pursuant to investigative subpoenas. As you may know, the investigative subpoena process is confidential and D/Sgt. Stasiak is prohibited from discussing her findings, or statements made pursuant to investigative subpoenas. See *Truel v City of Dearborn*, 291 Mich App 125 (2010).

As a result, she will be able to say very little at her deposition. As an aside, Robbie Clark from Potter, DeAgostino O'Dea & Clark served a similar subpoena last spring, which he ultimately withdrew.

If there is something specific that you need, please call me so we can discuss if there is a way to get you what you need without D/Sgt. Stasiak breaching the confidentiality provisions of the investigative subpoena statute.

If we don't hear back from you by close of business on Wednesday, we may be filing a motion to quash to protect the confidential nature of the investigative subpoena process.

Please let me know whether you will withdraw the subpoena.

Thanks for your attention to the matter.

Eric Jamison

Michigan Department of Attorney General

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